

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

ROBERT ALLEN SHIRLEY,

Petitioner,

v.

CARL BEAR, Warden,

Respondent.

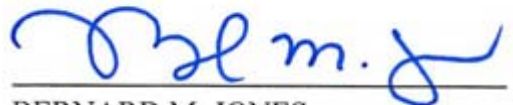
Case No. CIV-20-17-J

ORDER

Petitioner, a pro se Oklahoma prisoner, seeks habeas relief under 28 U.S.C. § 2254 from his convictions and sentences on twenty-eight counts of child sexual abuse. The matter was referred to United States Magistrate Judge Suzanne Mitchell for initial proceedings consistent with 28 U.S.C. § 636. [Doc. No. 4]. On August 18, 2020, Judge Mitchell issued a Report and Recommendation recommending that Respondent's motion to dismiss Petitioner's Petition as untimely filed be granted. [Doc. No. 18]. The parties were advised of their right to object to the Report and Recommendation by September 8, 2020. No objection has been filed. The parties have therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 18], GRANTS Respondent's motion to dismiss [Doc. No. 14], and DISMISSES Petitioner's Petition as time barred.

IT IS SO ORDERED this 16th day of September, 2020.


BERNARD M. JONES
UNITED STATES DISTRICT JUDGE